

## Meeting Minutes

### **Board of County Commissioners Hyde County**

**Monday, March 2, 2015**

Chairman Barry Swindell called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00pm on Monday, March 2, 2015, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment.

The following members were present on the mainland: Commissioners John Fletcher, Earl Pugh, Jr., Dick Tunnell, Benjamin Simmons and Barry Swindell; Attorney Fred Holscher; County Manager Bill Rich; Clerk to the Board Lois Stotesberry; and, members of the public.

The following members were present on Ocracoke: Public Information Officer Sarah Johnson and members of the public.

Following opening prayer by Commissioner Fletcher and pledge of allegiance the meeting was called to order.

#### **Agenda:**

Chairman Swindell asked for changes to the March 2, 2015 Meeting Agenda.

Commissioner Fletcher moved to approve the March 2, 2015 meeting Agenda as presented by the Clerk with deletion of Budget Transfer (d) and addition of Items of Consideration – 3.b. Appointments – BHM Regional Library and Item 14 – NCDOC 2014-2015 Building Re-use Grant. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

#### **Consideration of Minutes:**

Commissioner Fletcher moved to approve the March 2, 2015 Board of Commissioners Regular Meeting Minutes as presented by the Clerk. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

#### **Introductions:**

##### **Introduction – Superintendent David E. Hallac**

Manager Rich introduced Superintendent David E. Hallac and Deputy Superintendent Mark Doudle of the National Parks Service (NPS) Outer Banks Group. The Group consists of Cape Hatteras National Seashore, Fort Raleigh National Historic Site and Wright Brothers National Memorial. Mr. Rich reported Superintendent Hallac has a Master's Degree in wildlife and fisheries biology from the University of Vermont and was the Chief Scientist at Yellowstone National Park.

David Hallac, Superintendent, Outer Banks Group reported the Park Service will celebrate its 100<sup>th</sup> anniversary in August, 2016. Mr. Hallac is working on Off Road Vehicles (ORV) Management issues to include wildlife buffers, corridors and pedestrian only areas.

##### **Introduction – Special Assistant Hyde County Manager Will Doerfer**

Manager Rich introduced MPA Graduate William (Will) Doerfer. Mr. Rich reported the North Carolina Association of County Commissioners (NCACC) Board of Directors approved the County Management Fellowship Program in June, 2012 to help counter a decline in the number of young professionals pursuing careers in the public sector.

The NCACC has selected Hyde County to serve as host of the County Management Fellowship Program. Through the program a recent Master of Public Administration (MPA) program graduate who has interest in North Carolina county management careers will be placed into salaried, full-time fellowships with seasoned NC county managers for one or two years. The NCACC requires a minimum \$35,000.00 salary and recommends employment benefits and an employment year that follows the fiscal year. NCACC will pay \$25,000.00 and provide insurance coverage and the County will pay the remaining \$10,000.00.

The International City-County Management Association (ICMA), a partner for the NCACC County

Management Fellowship Program, provides the NCACC with a pool of pre-screened, North Carolina-based applicants from its fellowship program. The Association shares those applications with interested host counties who chose which applicants to interview and offer employment.

Commissioner Fletcher moved to approve William C. Doerfer for the position and to provide a Memorandum of Understanding and host application that provides a detailed work plan to NCACC; and to pay the remaining \$10,000.00 of Mr. Doerfer's salary. Mr. Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

#### **Presentations:**

##### **Department of Social Services Move**

Gloria Spencer, Director, Hyde County Department of Social Services, gave a PowerPoint presentation of the newly renovated ECB/DSS building in Engelhard. Ms. Spencer reported DSS has moved several times since 1982 when it was in the Social Services building facing Hyatt Cahoon's Store in Swan Quarter. Since that time DSS has moved to the O. A. Paey School Building in 1999; ADAP Center in Fairfield in 2003; back to the Paey Building in 2005; and, now the ECB/DSS Building in 2015.

Ms. Spencer thanked Utilities Director Clint Berry and his staff for moving the DSS department into its new location in Engelhard.

##### **FY2013-2014 Hyde County Audit Presentation**

Andrew Harris, CPA, PLLC, presented audit of the financial statements of Hyde County for the year ended June 30, 2014. Mr. Harris' narrative overview and analysis of the County's financial statements include:

- *The assets of Hyde County exceeded its liabilities and deferred inflows of resources at the close of the fiscal year by \$39,927,631 (net position).*
- *The government's total net position increased by \$583,964, primarily due to increased net position in the governmental activities.*
- *At the close of the current fiscal year, the Hyde County's governmental funds reported combined ending fund balances of \$8,784,852, after a net increase in fund balance of \$820,560. Approximately 47.64 percent of this total amount, or \$4,185,188, is available for spending at the government's discretion (unassigned fund balance).*
- *At the end of the current fiscal year, unassigned fund balance for the General Fund was \$4,292,016, or 37.35 percent of total general fund expenditures for the fiscal year.*

Commissioner Fletcher moved to approve the FY2013-2014 Hyde County Audit as presented by Andrew Harris, CPA, and to accept Andrew Harris' offer to assist the finance department as consultant (short-term) and to put out a bid for a new Hyde County Auditor. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

##### **Third Annual Hyde Children's Health Fair Extravaganza**

Lisa Woolard and Eve Richardson, Beaufort/Hyde Partnership for Children, reported the Extravaganza is organized annually by a consortium of organizations – Hyde County Hotline, Hyde County Health Department, Hyde County DSS, Hyde County Children's Center and Beaufort/Hyde Partnership for Children. Funding is minimal - \$700 from the state through the Hyde County Local Interagency Coordinating Council to cover food for the children and the bouncy house. The consortium has pooled their funding to provide signage, the main door prize, bags, juice boxes, stickers, trash bags, and incidentals. There has been some confusion in the past that County Government has provided funding. This has not allowed us to charge agencies a registration fee to assist in covering costs. While the County has been gracious in covering the cost of the Davis Center, with very little financial support, the Fair has really existed on a shoestring.

Ms. Woolard reported attendance was great the first year, but last year, attendance was dismal. To combat that, a new format in a new location was created. This year the Extravaganza will be held on April 10<sup>th</sup> at the O. A. Paey School Building beginning at 10:30a.m., ending at 2:30p.m.



Partnership for Children will be launching a healthy eating and active living theme with interactive booths (each vendor is to bring a game or an activity), outdoor obstacle course, games, music, and local vendors selling produce and such – like a farmer’s market, and door prize drawings on the half-hour (you must be present to win)! We will still have the “big” drawing for those that play the bingo game and visit all the vendors. We have enjoyed great support by the agencies and organizations of our community. Instead of asking County Government to provide funding, the consortium is asking each commissioner to provide one (1) door prize (\$10 - \$20 value). Door prizes will need to be delivered to Hotline, BCHD or DSS by March 27.

#### **ABC Board Quarterly Financial Report**

Meredith Nicholson, Chairman, Hyde County ABC Board, presented update on the ABC Board financial status. Ms. Nicholson reported inventory has stayed consistent, accounts payable are down and net profit year-to-date is \$21,000.00 (up \$27,000 from last year). She also reported ABC Board member Jim Piland resigned, effective April 1, 2015.

#### **Employee Recognition:**

##### **Employee of the Month**

Bill Rich, County Manager, announced the employee of the month is Clint Berry, Utilities Director. Mr. Rich thanked Mr. Berry for work done on the Public Safety Center, Government Center and DSS Building and move to Engelhard. Mr. Berry spun the “Wheel of Thanks” and received a \$25 Gift Certificate for Gibbs Enterprise. He plans to gift the certificate to Gloria Spencer, DSS Director.

#### **Public Comments:**

Chairman Swindell called for comments from the public.

**Benji Hart – Ocracoke Planning Advisory Board** - asked for clarification on wording in the Ocracoke Development Ordinance, Section 36-183 Home Occupations. He asks that a part-time enforcement officer assigned to work on Ocracoke Island be hired, preferably an Ocracoke resident.

**Connie Leinbach, President, Ocracoke Civic and Business Association (OCBA)** – asked that the speed limit (20 mph) on Sunset Road be posted. She asks that the County table the Tourism Development Authority project.

**George Chamberlin, Chairman, Ocracoke Airport Advisory Board** – announced plans to re-work and upgrade the Ocracoke Airport. Mr. Chamberlin also believes there are better ways to use Occupancy Tax funds than a Tourism Development Authority.

**Bob Oats, Ocracoke Island Realty, Inc.** – reported Ocracoke Occupancy Tax funds could be used for better promotions.

**Jessica Gibbs, Fairfield** - in response to discussion at an earlier meeting, stated dispatchers are required to be trained with at least sixteen credit hours.

**Manager Rich**, reported he and Justin Gibbs, EM Director, will conduct open discussion meeting on the E-911 merger before the next Board of Commissioners meeting on April 1.

**Sherry Carawan, President, Chamber of Commerce** – reported the Chamber would like Ocracoke Island and Mainland Hyde County to partner with them and support each other in promoting tourism.

There being no further comments from the public, Chairman Swindell continued the meeting.

#### **Resolutions:**

##### **Resolution In Support of Legislation to Delineate Coastal Wetlands Riparian Buffers**

Jeff Credle, of the Scranton community, asked the commissioners to adopt a resolution asking the NC General Assembly to seek a bill that consists of the same information submitted in Senate Bill 232 from the 2011 Session and Draft Bill 2015-MH-59 [v.1] (02/19) sponsored by Senator Cook.

Commissioner Fletcher moved to adopt “Resolution – Delineate Coastal Wetlands Riparian Buffers” and to request the Governor and General Assembly members seek a bill regarding the delineation of protective riparian buffers for coastal wetlands in the Neuse River and Tar-Pamlico River Basin that consists of the same information submitted in Senate Bill 232 in 2011 and Draft Bill 2015-MH-59 [v.1] (02/19) and to send copy of the Resolution to the 20 NC coastal counties. Mr. Tunnell seconded

the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of "Resolution – Delineate Coastal Wetlands Riparian Buffers" is attached herewith as Exhibit A and incorporated herein by reference.*

#### **Resolution – Adopt NC WRC Red Wolf Resolutions**

Bill Rich, County Manager, presented Resolution to support the North Carolina Wildlife Resources Commission's adoption of its resolutions to remove from private lands and declare red wolves extinct. On January 29, 2015 NCWRC adopted:

*"Resolution Requesting that the United States Fish and Wildlife Service Remove Red Wolves Released Onto Private Lands in the Red Wolf Recovery Area Located in Beaufort, Dare, Hyde, Tyrrell and Washington Counties, North Carolina" and,*

*"Resolution Requesting that the United States Fish and Wildlife Service Declare the Red Wolf (Canis rufus) Extinct in the Wild and Terminate the Red Wolf Reintroduction Program in Beaufort, Dare, Hyde, Tyrrell and Washington Counties, North Carolina"*

Commissioner Fletcher moved to adopt Resolution to Support the North Carolina Wildlife Resources Commission's Adoption of Its Resolutions to Remove From Private Lands and Declare Red Wolves Extinct. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of "Resolution – Adopt NC WRC Red Wolf Resolutions" is attached herewith as Exhibit B and incorporated herein by reference.*

#### **Resolution of Support for An Alternative Governance Structure for The Area Authority Serving Hyde County**

Bill Rich, County Manager, reported East Carolina Behavioral Health (ecbh) and Coastal Care have entered into agreement to consolidate their agencies, effective July 1, 2015, in accordance with the Medical Reform Plan developed by the NC Department of Health and Human Services (NC DHHS) and endorsed by Governor Pat McCrory. The Area Board of Coastal Care serves Brunswick, Carteret, New Hanover, Onslow and Pender Counties and the Area Board of ECBH serves Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell and Washington Counties.

Commissioner Tunnell moved to approve the structure of the Area Board and the Regional Advisory Boards of the consolidated Area Authority of East Carolina Behavioral Health and CoastalCare, as outlined. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of "Resolution of Support for An Alternative Governance Structure for The Area Authority Serving Hyde County" is attached herewith as Exhibit C and incorporated herein by reference.*

#### **Wellhead Protection Plan**

Clint Berry, Utilities Director, reported Hyde County, with assistance from the North Carolina Rural Water Association, is in the process of updating their Wellhead Protection Plan. This is a voluntary program intended to assist in protecting the County's water supply from contamination, and to identify vulnerable areas around their wells called "Wellhead Protection Areas." Another goal of this program is to make residents and businesses aware that chemicals and other pollutants spilled or dumped in the vicinity of the "Wellhead Protection Areas" can be drawn into the wells, possibly contaminating the County's drinking water supply.

Commissioner Pugh moved to adopt Resolution – Wellhead Protection Plan. Commissioner Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of "Resolution to Approve Wellhead Protection Plan" is attached herewith as Exhibit D and incorporated herein by reference.*

Commissioner Fletcher moved to approve Chairman Swindell to sign a letter to Mr. Gale Johnson, L.G., NC Public Water Supply Section, to confirm authority is granted to Utilities Director Clint Berry to implement the Wellhead Protection Plan dated January 26, 2015 and to approve any revisions necessary for plan approval. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.



### **Amendment to Ocracoke Development Ordinance**

Kris Noble, Planner/Developer, presented request for amendment to Ocracoke Development Ordinance. On February 12, 2015, at the Ocracoke Planning Advisory Board meeting, the Board was asked to have the ten (10) day waiting period for a building permit eliminated from the Ocracoke Development Ordinance.

Draft Ordinance to Amend Chapter 36, Subdivisions, Article VII, Ocracoke Development, Section 36-172 Permit Procedure of the Hyde County Code will be presented at the April 6, 2015 Commissioners meeting for further discussion and approval.

### **Appointments:**

#### **Hyde County Board of Health**

David Howard, Health Director, reported Ms. Sharon Sadler has been nominated, at the Hyde County Board of Health December, 2014 meeting, to serve on the Hyde County Board of Health and has accepted the nomination.

Commissioner Swindell moved to appoint Ms. Sharon Sadler to serve on the Hyde County Board of Health. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

#### **B/H/M Regional Library Board**

Commissioner John Fletcher announced Ms. Davis resigned her position on the Beaufort-Hyde-Martin Regional Library Board.

Commissioner Fletcher moved to appoint Ms. Liz Hodgekiss to serve on the B/H/M Regional Library Board. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

#### **Consolidated E-9-1-1**

Bill Rich, County Manager, and Justin Gibbs, EM Director, will conduct a meeting before the April 6 Board of Commissioners meeting to receive citizen's comments and questions.

#### **Cedar Island/Ocracoke Ferry Schedule**

Bill Rich, County Manager, presented the May 20 – September 29 Cedar Island/Ocracoke Ferry Schedule. The new summer schedule becomes effective May 19 and is as follows.

Departing Cedar Island: 7a.m., 10a.m., 1p.m., 4p.m. and 6:30p.m.

Departing Ocracoke Island: 7:30a.m., 10a.m., 1p.m., 4p.m. and 9p.m.

#### **Ocracoke Public Comment on Tourism Plan**

Kris Noble, Planner/Developer, and Sarah Johnson, PIO, presented a comprehensive marketing plan and received public comments on the Plan following the Ocracoke Occupancy Tax Board meeting held on February 12, 2015 at the Ocracoke Community Center. The Plan will be discussed further at the Thursday, March 12<sup>th</sup> public input meeting at 7:30p.m. at the Ocracoke Community Center.

#### **EMS Property on Ocracoke**

Commissioner John Fletcher suggested the old Ocracoke Fire Station or possibly property behind the new Fire Department would be a good location for the Ocracoke EMS Station relocation.

Bill Rich, County Manager, will put out a notice on Ocracoke Island of what the County is looking for in EMS property to purchase or lease.

#### **Budget Calendar – Department Assessments**

Bill Rich, County Manager, discussed the FY2015-2016 Budget Calendar and reported departmental assessments are due March 9, 2015.

#### **Unsigned Mail & Messages**

Commissioner John Fletcher discussed unsigned mail and anonymous messages to the Board of Commissioners. Unsigned correspondence will not be recognized.

### **Hyde County EMS – Disposition Type Breakdown**

Justin Gibbs, Emergency Management Director, presented statistics for the disposition of Emergency Medical Services (EMS) calls on Ocracoke Island from July 1, 2014 through January 30, 2015. Mr. Gibbs reported the EMS Fee Schedule was revised and is in line with Medicaid (MCD) and Medicare (MCA). He will research and report the EMS Disposition Type Breakdown on the mainland.

### **Manager's Performance Evaluation**

Bill Rich, County Manager, reported provisions of the Employment Agreement between the County of Hyde and William D. Rich, entered into February 3, 2014, require annual performance evaluation of the Employee as described in Section 7 and 8 of the Agreement.

#### **Section 7 – Salary**

Employer agrees to pay Employee for his services rendered pursuant hereto at an annual base salary of \$85,000.00 from July 1, 2014 until June 30, 2015. From July 1, 2015 until June 30, 2018 the annual base salary shall be \$95,000.00. This salary is payable in installments at the same time as other employees of Employer are paid. In addition, Employer agrees to review and consider an increase to said base salary and/or other benefits to Employee in such amounts and to such extent as the Board may determine is desirable to do so on the basis of a performance evaluation and annual salary review of Employee to the adoption of the annual budget.

#### **Section 8 – Performance Evaluation**

- A. At least sixty (60) days prior to the Employee's anniversary date, the Board and Employee will define such goals and performance objectives as they determine are necessary for the proper operation of the County and the attainment of the Board's policy objectives. The parties shall further establish a relative priority among those various goals and objectives, with the Board having the final say as to the specific goals and objectives as well as to the relative priority thereof. Said goals and objectives shall be reduced to writing and generally shall be attainable within the time limitations specified, the annual operating as well as capital budgets, and the appropriations that can be provided.
- B. The Board shall review and evaluate the performance of the Employee at least once annually, 60 (sixty) days in advance of the anniversary date of employment. Said review and evaluation shall be in accordance with specific criteria developed jointly by Employer and Employee. Said criteria may be added to or deleted from as the Board may, from time to time, determine in consultation with the Employee. Further, the Chairman of the Board shall provide the Employee with a summary written statement of the findings of the annual review and provide an adequate opportunity for the Employee to discuss his evaluation with the full Board.
- C. In effecting the provisions of this Section, Employer and Employee mutually agree to abide by the provisions of any and all applicable laws.

The required annual performance evaluation for Manager Bill Rich will be done after the FY2015-2016 Budget is set.

### **Maurice Ballance Road/Ocracoke Community Park Update**

Bill Rich, County Manager, presented update on Maurice Ballance Road in Ocracoke Community Park. On February 6 Manager Rich formally petitioned NCDOT to consider rocking and maintaining Maurice Ballance Road on Ocracoke. This road is the entrance to the new Ocracoke Community Park, which among other things will be the baseball and soccer fields for all of Ocracoke as well as a community center and all venues from emergency evacuations to concerts and revivals. Ocracoke Community Park has been funded totally from donations and Occupancy Tax money.

Mr. Rich requests NCDOT assistance in providing an entrance way (road) which will accommodate the Park. Maurice Ballance Road was subdivided prior to 1975. The Park Association has a 50' right-of-way and requests a joint maintenance arrangement where the State would rock and maintain 20' and the Association would maintain the shoulders for parking, bike and pedestrian access.

Manager Rich was asked to also discuss with NCDOT the speed limit signage on Sunset Road; and, maintenance on the road behind the new Ocracoke Fire Department.



**N. C. Department of Commerce 2014-2015 Building Reuse Grant Application**  
**1718 Ocracoke Brewing Company, Inc.**

Kris Noble, Planner/Developer reported the Office of Planning & Economic Development has been working with 1718 Ocracoke Brewing Company, Inc. (Garick & Jacqueline Kalna) on the completion of a NC Department of Commerce Building Reuse Grant application in the amount of \$55,000.00. A revolving loan for 1718 Ocracoke Brewing Company, Inc. in the amount of \$215,000.00 was approved by the Board of Commissioners in February. The building reuse grant will supplement the revolving loan funds (RLF) for rehabilitation of property (formerly known as Café Atlantic) to be used as the location of the brewing company.

The NC Building Reuse Grant does require a local match of 5%; however, the RLF funding qualifies as that match and therefore there will be no further expense to the County.

Commissioner Fletcher moved to approve the NC Department of Commerce 2014-2015 Building Reuse Grant Application – 1718 Ocracoke Brewing Company, Inc. and a local match of 5%. Commissioner Pugh seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

**Budget Revision**

(FO Use) BR#	Department	Account #	Line Item Account Name/ Explanation	Debit	Credit
BR25-15	Health - WIC	10.5970.0200	Client Services	\$ 125.22	
		10.5970.0500	FICA	\$ 15.30	
		10.5970.0600	Insurance	\$ 45.14	
		10.5970.0700	Retirement	\$ 14.34	
			Revenue – WIC - State		\$ 200.00
			<i>The Health Department is receiving additional funds in the amount of \$200.00 from NC Division of Public Health for further client services within the WIC program. This does increase the Health Department budget. No local appropriations are required.</i>	\$ 200.00	\$ 200.00
BR26-15	Health – Immunization Action Plan	10.5870.0200	Salary		\$ 858.68
		10.5870.0500	FICA Tax Expense		\$ 96.77
		10.5870.0600	Group Insurance Expense		\$ 218.85
		10.5870.0700	Retirement Expense		\$ 90.70
		10.5870.0000	Immunization Action Plan Revenue (State)	\$ 1265.00	
			<i>The IAP (Immunization Action Plan) funding from federal funds to State Public Health has been less than expected by the NC Dept. of Public Health. This reduction is stated as temporary in the Agreement Addendum revision received. Full budgeted funds are expected by NC DPH and will be forwarded to counties when available. If and when such funds are received, another budget revision will be requested. This reduces the IAP budget.</i>	\$ 1265.00	\$ 1265.00
DSS	Overtime	10.6100.4504	Contract Interpreter		\$ 4,000.00
			Overtime for Employees	\$ 4,000.00	
			<i>To compensate workers for overtime worked for the month of February. IMCW This does not increase the budget.</i>	\$ 4,000.00	\$ 4,000.00

Commissioner Fletcher moved to approve Health BR25-15 – WIC, BR26-16 – Immunization Action Plan and DSS – Overtime transfers as presented. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

**Management Reports:**

**Commissioner Fletcher** – attended the ferry meetings.

**Commissioner Simmons** – attended the Sea Grant meeting and the RPO meeting.

**Commissioner Pugh** – attended the Sea Grant meeting where the Hyde County Flood Resiliency Plan was discussed. Mr. Pugh would like to see Joan Sears' art.

**Commissioner Tunnell** – participated in a listening session with Senator Cook. He attended the Sea Grant meeting; and, the Fish Forum both here and in Raleigh. Mr. Tunnell thanked staff for all they have done to enhance marketing on tourism and for the response from Ocracoke.

**Chairman Swindell** – is glad Commissioner Fletcher is back from the hospital.

**Manager Rich** – agrees with community involvement in tourism marketing and has scheduled a public forum to receive citizen's questions and comments on Ocracoke on March 12.

**Public Comments:**

Chairman Swindell called for comments from the public.

**George Chamberlin, Ocracoke** – disagrees with the proposed revaluation plan.

**Darlene Styron, Ocracoke** – agrees with Mr. Chamberlin's opinion of the revaluation plan and recommends follow-up on Sherry Carawan's comment about Kris Noble and Sarah Johnson's presentation.

There being no further comments from the public, Chairman Swindell continued the meeting.

**Closed Session (none)**

**Adjourn**


Commissioner Simmons moved to adjourn the meeting. Mr. Fletcher seconded the motion. The motion passed on the following vote: Ayes – Fletcher, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

The meeting adjourned at 8:07p.m.

Respectfully submitted:

Minutes approved on the 6<sup>th</sup> day of April, 2015.

  
Lois Stotesberry, CMC, NCCCC  
Clerk, Hyde County Board of Commissioners

  
Barry Swindell  
Chair, Hyde County Board of Commissioners

**Attachments:**

Exhibit A: *"Resolution – Delineate Coastal Wetlands Riparian Buffers"*

Exhibit B: *"Resolution to Support the North Carolina Wildlife Resources Commission's Adoption of Its Resolutions to Remove From Private Lands and Declare Red Wolves Extinct"*

Exhibit C: *"Resolution of Support for An Alternative Governance Structure for The Area Authority Serving Hyde County"*

Exhibit D: *"Resolution to Approve Wellhead Protection Plan"*



# COUNTY OF HYDE

## Board of Commissioners

Barry Swindell, Chair  
Earl Pugh, Jr., Vice-chair  
Benjamin Simmons  
John Fletcher  
Dick Tunnell

30 Oyster Creek Road  
PO Box 188  
SWAN QUARTER, NORTH CAROLINA 27861  
252-926-4400  
252-926-3701 Fax

Bill Rich  
County Manager

Fred Holscher  
County Attorney

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board



## DELINEATE COASTAL WETLANDS RIPARIAN BUFFERS

**WHEREAS**, the General Assembly enacted the permanent Neuse River and Tar-Pamlico Riparian Buffer rules on August 1, 2000; and,

**WHEREAS**, a riparian zone site characterized by the establishment of woody stems (tree or shrub) is designed to maximize nutrient removal and other buffer functions as do marsh areas that filter water and naturally prevent sedimentation run off; and,

**WHEREAS**, some property owners in Hyde County disagree with the current delineation of protective riparian buffers for coastal wetlands in the coastal counties of the Neuse and Tar-Pamlico River Basin and believe the rules were more designated to cover areas west of here that adjoin waterways and wetlands but have no marsh, as Hyde County does, to filter water and prevent sedimentation run off; and,

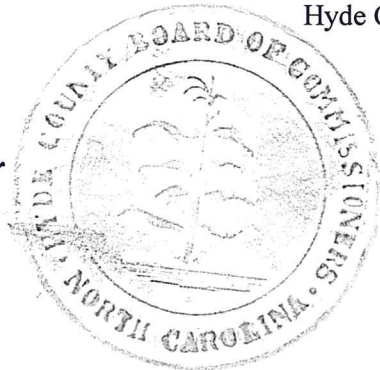
**NOW, THEREFORE, BE IT RESOLVED**, that the Hyde County Board of Commissioners hereby ask that NC General Assembly members seek a bill regarding the delineation of protective riparian buffers for coastal wetlands in the Neuse River and Tar-Pamlico River Basin that consists of the same information submitted in Senate Bill 232 from the 2011 session.

Adopted this the 2<sup>nd</sup> day of March, 2015, in Hyde County, North Carolina.

Barry Swindell, Chairman  
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board



# COUNTY OF HYDE

## Board of Commissioners

Barry Swindell, Chair  
Earl Pugh, Jr., Vice-chair  
Benjamin Simmons  
John Fletcher  
Dick Tunnell

30 Oyster Creek Road  
PO Box 188  
SWAN QUARTER, NORTH CAROLINA 27861  
252-926-4400  
252-926-3701 Fax

Bill Rich  
County Manager

Fred Holscher  
County Attorney

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board



## RESOLUTION

**WHEREAS**, on January 29, 2015 the North Carolina Wildlife Resources Commission adopted a resolution entitled "*Resolution Requesting that the United States Fish and Wildlife Service Remove Red Wolves Released Onto Private Lands in the Red Wolf Recovery Area Located in Beaufort, Dare, Hyde, Tyrrell and Washington Counties, North Carolina*"; and,

**WHEREAS**, on January 29, 2015 the North Carolina Wildlife Resources Commission adopted a resolution entitled "*Resolution Requesting that the United States Fish and Wildlife Service; Declare the Red Wolf (Canis rufus) Extinct in the Wild and Terminate the Red Wolf Reintroduction Program in Beaufort, Dare, Hyde, Tyrrell and Washington Counties, North Carolina*"; and,

**WHEREAS**, the Hyde County Board of Commissioners by unanimous vote endorsed the passage of the resolutions adopted by the North Carolina Wildlife Resources Commission; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Hyde County Board of Commissioners hereby endorses the resolutions heretofore set forth.

Adopted this the 2<sup>nd</sup> day of March, 2015, in Hyde County, North Carolina.

Barry Swindell, Chairman  
Hyde County Board of Commissioners

ATTEST:

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board





**Resolution of Support for an Alternative Governance Structure for the Area Authority  
serving Hyde County**

**WHEREAS**, in accordance with N. C. General Statute § 122C – 115 (c1), the Area Board of CoastalCare, an Area Authority serving Brunswick, Carteret, New Hanover, Onslow and Pender Counties and the Area Board of East Carolina Behavioral Health, an Area Authority serving Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington Counties, have entered into an agreement to consolidate their agencies into a twenty-four county Area Authority serving all previously names counties; and

**WHEREAS**, the Secretary of the N. C. Department of Health and Human Services has approved this consolidation, as required by law; and

**WHEREAS**, N. C. General Statute § 122C – 118.1, which specifies the composition of an Area Authority Board, permits an alternative Area Board structure to be implemented 1) if the total population of the Area Authority catchment area exceeds 1,250,000 and 2) if the counties which comprise the Area Authority agree by resolution to an alternative structure; and

**WHEREAS**, the total population of the new Area Authority created by the consolidation of CoastalCare and East Carolina Behavioral Health is 1,260,778; and

**WHEREAS**, it is in the best interest of the residents of the twenty-four counties to approve an alternative governance structure for the consolidated Area Authority;

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Hyde County Board of Commissioners, do hereby approve the structure of the Area Board and the Regional Advisory Boards of the consolidated Area Authority, as outlined below.

To provide a local presence in the counties served and to assure that each county has input into the services received by its residents, the twenty-four county catchment area will have three regions. The regions have been designed to equalize, to the extent possible, the number of counties, population in the region, and overall square mileage of the regions. The three regions and the counties served are:

Northern Region: Bertie, Camden, Chowan, Currituck, Gates, Hertford, Martin, Northampton, Pasquotank and Perquimans Counties.

Central Region: Beaufort, Craven, Dare, Hyde, Pamlico, Pitt, Tyrell and Washington Counties.

Southern Region: Brunswick, Carteret, Jones, New Hanover, Onslow and Pender Counties.

The counties in each region will appoint two members to the Regional Advisory Board: one county commissioner or designee and another individual who meets the requirements outlined in N. C. G. S. § 122C – 118.1 (b). In addition, the Regional Advisory Board will include the Chair

or designee of the regional Consumer and Family Advisory Committee. County Commissioner members of the Regional Advisory Boards may serve for as long as they are a commissioner. Other members of the Regional Advisory Board may serve for up to three, three year consecutive terms.

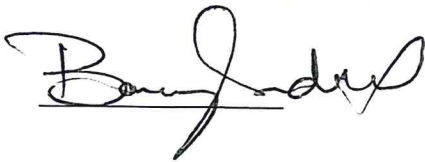
The primary functions of the Regional Advisory Board will be to advise the Area Authority Chief Executive Officer on the evaluation and hiring of a Regional Director; recommending priorities for expenditure of state and county funds for development of the annual budget; determining local priorities for inclusion in the overall strategic plan; identifying community needs and concerns; monitoring resolution of issues; and monitoring performance at the local level, including access to care, expenditure of service funds, number of consumers served, services delivered, provider network size and composition, outcomes, and consumer satisfaction.

Each Regional Advisory Board will establish its own bylaws based on local needs, but in compliance with standardized requirements established by the Governing Board for quorums, frequency of meetings, elections of officers, duties of members, committees and committee appointments, and attendance standards. Such bylaws are subject to the approval of the Governing Board.

Each Regional Advisory Board will select four (4) members to serve as the Area Authority Governing Board: one county commissioner, the Consumer and Family Advisory Committee chair or designee, and two other members. In addition, the chair or designee of the Area Authority Network Council shall serve on the Governing Board as a non-voting member. The county commissioner members of the Governing Board shall serve one three year term without consecutive reappointment, so that commissioner representation on the Governing Board will rotate among the counties in each region. The other members of the Governing Board may serve three, three year terms.

The Governing Board's primary responsibilities will include determining policy; strategic planning, including consideration of local priorities as determined by the Regional Advisory Boards; budgets; hiring and evaluations of the Chief Executive Officer; monitoring of deliverables, including overall performance and financial management; government affairs and advocacy; reporting to constituent counties; responding to concerns and feedback from the Regional Advisory Boards; reviewing, revising and approving the Regional Advisory Board bylaws; and all other responsibilities outlined in N. C. law for Area Authority Boards. The Governing Board will develop and adopt bylaws to address its activities in accordance with law.

ADOPTED this 2nd day of March, 2015.





## *RESOLUTION*

*WHEREAS*, the County of Hyde derives their public water supply from ground wells, and

*WHEREAS*, the groundwater needs to be protected from contamination by activities of mankind, and

*WHEREAS*, the County of Hyde desires to assume and maintain a leadership role in the protection of its drinking water resources through its own efforts and in cooperation with other local governments and state and federal agencies,

*NOW THEREFORE BE IT RESOLVED* by the Hyde County Commissioners' that the County of Hyde, North Carolina does hereby adopt the following resolution titled "Groundwater Protection Resolution".

### *TITLE AND PURPOSE*

This resolution shall be known as the "Groundwater Protection Resolution".

It is the purpose of this resolution to promote the public health, safety, and general welfare, and to minimize public and private losses due to contamination of the public water supply, to maximize groundwater protection/pollution abatement control procedures, and protect our groundwater resources:


- 1) Protect human life and health;
- 2) Minimize expenditure of public money for costly pollution projects;
- 3) Minimize business interruption;
- 4) Insure that the public is provided with a safe potable water supply now and for future generation;
- 5) Protect the natural groundwater resources of the state.

In order to accomplish its purpose, this resolution shall employ the following methods:

- 1) Establish a groundwater protection area.
- 2) Inventory and plot on a map all potential sources of contamination within the designated groundwater protection area.
- 3) Frequent monitoring of existing and future activities with the groundwater protection area that have been identified as potential sources of contamination.
- 4) Develop contingency plans for alternative drinking water supplies to help mitigate contamination of the current public water supply.
- 5) Educate the public on groundwater, where it comes from, how it becomes contaminated, and the ways to protect it.
- 6) Use all local, state, and federal resources and regulations to protect groundwater.
- 7) Submit a copy of this program to the NC Department of Environment and Natural Resources, Public Water Supply Section for consent and approval.

Adopted this the 2<sup>nd</sup> day of March, 2015, in Hyde County, North Carolina.

ATTEST:

  
Barry Swindell, Chairman

  
Lois Stotesberry, Clerk to the Board

